



Federal Communications Commission  
Washington, D.C. 20554

**DA: 07-2158**  
**Released: May 23, 2007**

1800E1-KRH

Metro Television Alliance, LLC  
c/o Thomas P. Van Wazer  
1501 K Street, N.W.  
Washington, DC 20005

In Re: Request for Experimental Authority to  
Operate a Digital System on Channels 12, 33  
and 65 in New York, New York

Dear Licensees:

This refers to your above-captioned application requesting experimental authority to operate a digital television system on Channels 12, 33 and 65 in New York, New York. Specifically, you propose to construct this digital system, utilizing four transmitter locations within the borough of Brooklyn and an additional Channel 12 transmitter site on the Empire State Building (ESB). You state that the purpose of your proposal is to test fill-in over-the-air digital television coverage in areas of New York City where adequate coverage is not provided.

In support of your request, you state that the Metropolitan Television Alliance (MTA), consists of the licensees of ten New York City area television stations (WCBS-TV, WNBC-TV, WNYW-TV, WABC-TV, WWOR-TV, WPIX-TV, WNET-TV, WPXN-TV, WNJU-TV, and WXTV(TV)). Prior to September 11, 2001, all of these stations operated their digital facilities from the North Tower of the World Trade Center which was destroyed in the September 11<sup>th</sup> attack. Virtually all of the MTA members relocated from the World Trade Center (WTC) to the (ESB). However, most of the digital antennas had to be side-mounted due to existing overcrowding on the ESB antenna mast. You state that side-mounting resulted in significant coverage losses to more than three million viewers using indoor, set-top service antennas in areas of New York City and New Jersey when compared to the level of predicted indoor service provided by the DTV facilities at the WTC. This will not be a problem, you assert, from the new Freedom Tower where all of the MTA members will eventually relocate their facilities. However, the Freedom Tower is not expected to be completed until 2011. Thus, you request experimental authority to test the feasibility of utilizing the assigned digital channel of one of MTA's members (Channel 33), as well as two non-assigned channels, to provide fill-in, over-

the-air digital coverage in New York City and New Jersey where adequate coverage is not now available.

We have reviewed your request and find that the public interest would be served by granting you experimental authority to test various options to find a solution to the coverage problems identified by the MTA. We note that the events of September 11<sup>th</sup> was one of the most tragic in American's history creating unique problems for New York City broadcasters. The United States Congress recognized this fact in adopting the Deficit Reduction Act of 2005 wherein the NYC 9/11 Digital Transition Fund was created. This fund set aside \$30,000,000 to "reimburse" the MTA for costs incurred in the design and deployment of a temporary digital television broadcast system until a permanent facility atop the Freedom Tower is constructed.

With regard to potential for interference from the proposed operation, you have examined the appropriate co-channel and adjacent channel assignments in New York City and the surrounding area. You have provided no objection letters to the Commission from all of the affected co-channel and adjacent channel NTSC, DTV and Class A facilities that could receive interference.

Additionally, after our independent review of your technical specifications, we are persuaded that no interference to any protected service is likely to occur from the proposed operation. We therefore conclude that the public interest would be served by the grant of this request. If interference problems do arise, however, we expect you to resolve them expeditiously and the Bureau reserves the right to require the termination of the operation without prior hearing. Also, you are reminded that our grant of experimental authority for testing should not be construed as pre-approval of long-term use of channel 12 and 65. We note that channel 65 is no longer routinely assigned for broadcast use and is subject to auction early next year.

With respect to radio frequency radiation (RFR), we expect compliance with Section 1.1307(b) of the Commission's rules to be achieved.

Accordingly, the request for experimental authority to broadcast DTV signals utilizing a low power digital repeater network on Channels 12, 33 and 65 in New York, New York, IS GRANTED subject to the following conditions and technical parameters:

1. The grant of this permit is subject to the condition that, with ample time before commencing operation, you make a good-faith effort to identify and notify health-care facilities (e.g., hospitals and nursing homes, see 47 CFR 15.242(a)(1)) within your service area that potentially could be affected by your DTV operations. Contact with state and/or local hospital associations and local governmental health-care-licensing authorities may prove helpful in this process. During this pre-broadcast period, you must provide all notified entities with relevant technical details of your operation, such as DTV channel, targeted on-air date, effective radiated power, antenna location, and antenna height. You are required to place in the station's public inspection file documentation of the notifications and contacts made and you may not commence operations until good-faith efforts have been made to notify affected health-care facilities. During this pre-broadcast period and for up to twenty (20) days after commencing operations, should you become aware of any instances of medical devices malfunctioning or that such devices are likely to malfunction due to your DTV operations, you must cooperate with the affected health-care facility or facilities so that they are afforded a reasonable opportunity to resolve the interference problem. At such time as all provisions of this condition have been fulfilled, and either upon the expiration of twenty (20) days following

commencement of operations or when all known interference problems have been resolved, whichever is later, this condition lapses.

2. This authority expires six months from the date of this letter. If appropriate, a timely renewal request must be filed before the end of this period.
3. Hours of operation of this facility will be in accordance with Section 73.624(b) of the Commission's rules.

### **Technical Parameters:**

#### **Site 1**

Channel: 12

Antenna Coordinates: N. Latitude: 40-44-54  
W. Longitude: 73-59-10

Antenna Type: Scala, Directional  
Model No. HDCA-5/URM

Maximum Effective Radiated Power (average): 1.0 kW

Transmitter: Type Accepted. See Section 73.1660, 73.1665 and 73.1670 of the FCC Rules.

Antenna Height Above Mean Sea Level: 335 meters

Tower Registration Number: 1254286

#### **Site 2**

Channels: 12, 33 & 65

Antenna Coordinates: N. Latitude: 40-41-36.5  
W. Longitude: 73-59-28.6

Antenna Type: Scala, Non-Directional  
Model No. SL-8

Maximum Effective Radiated Power (average): 1.0 kW

Transmitter: Type Accepted. See Section 73.1660, 73.1665 and 73.1670 of the FCC Rules.

Antenna Height Above Mean Sea Level: 126.7 meters

Tower Registration Number: n/a

### **Site 3**

Channels: 12, 33 & 65

Antenna Coordinates: N. Latitude: 40-41-59.3  
W. Longitude: 73-55-57.7

Antenna Type: Scala, Non-Directional  
Model No. SL-8

Maximum Effective Radiated Power (average): 1.0 kW

Transmitter: Type Accepted. See Section 73.1660, 73.1665 and 73.1670 of the FCC Rules.

Antenna Height Above Mean Sea Level: 43.4 meters

Tower Registration Number: n/a

### **Site 4**

Channels: 12, 33 & 65

Antenna Coordinates: N. Latitude: 40-39-12.1  
W. Longitude: 73-55-53.7

Antenna Type: Scala, Non-Directional  
Model No. SL-8

Maximum Effective Radiated Power (average): 1.0 kW

Transmitter: Type Accepted. See Section 73.1660, 73.1665 and 73.1670 of the FCC Rules.

Antenna Height Above Mean Sea Level: 33.2 meters

Tower Registration Number: n/a

**Site 5**

Channels: 12, 33 & 65

Antenna Coordinates: N. Latitude: 40-39-19.6  
W. Longitude: 73-58-55.5

Antenna Type: Scala, Non-Directional  
Model No. SL-8

Maximum Effective Radiated Power (average): 1.0 kW

Transmitter: Type Accepted. See Section 73.1660, 73.1665 and 73.1670 of the FCC Rules.

Antenna Height Above Mean Sea Level: 79.5 meters

Tower Registration Number: 1207937

Sincerely,

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau